

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA	:	
	:	CRIMINAL INDICTMENT
v.	:	
	:	NO. 1:17-CR-224-AT-CMS
	:	
ALLEN J. PENDERGRASS	:	
	:	

UNOPPOSED MOTION TO CONTINUE TRIAL

COMES NOW, the UNITED STATES OF AMERICA (“Government”), through its counsel Byung J. Pak, United States Attorney for the Northern District of Georgia, and Jeffrey A. Brown, Assistant United States Attorney, and files this unopposed motion to continue trial. In support of this motion, the Government states:

1.

On June 29, 2018, this Court scheduled the above referenced case for trial starting on Monday, August 6, 2018 at 9:30 am.

2.

On April 12, 2018, Judge Steven C. Jones scheduled a trial in *United States v. Olayinka Olaniyi*, 1:15-cr-00457-SCJ-JSA to start on Monday, August 6, 2018.

The government does not expect the referenced trial to be resolved with a plea.

3.

Defense counsel has been consulted and he does not oppose the instant motion to continue trial.

4.

The government submits that the ends of justice served by this continuance outweigh the interests of the public and the Defendant in a more speedy trial. In this case, among other things, because of the government counsel's conflict, a failure to grant the continuance would unreasonably deny the Government continuity of counsel. Thus, the Government requests that the Court grant a motion to continue the evidentiary hearing and order pursuant to 18 U.S.C. § 3161(h)(7) that any time resulting from the continuance be excluded from Speedy Trial Act computations.

This 3rd day of July, 2018.

Respectfully submitted,

BYUNG J. PAK  
UNITED STATES ATTORNEY

*/s/Jeffrey A. Brown*  
JEFFREY A. BROWN  
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CERTIFICATE OF SERVICE

This is to certify that I have this day served upon the person listed below a copy of the foregoing document by filing same in the Court's electronic filing system, where it will be automatically served upon:

Robert Citronberg

Undersigned counsel also certifies that this motion has been prepared in Times New Roman 14 point font, in compliance with LR 5.1B, NDGa.

This 3rd day of July, 2018.

/s/ Jeffrey A. Brown  
JEFFREY A. BROWN  
ASSISTANT UNITED STATES ATTORNEY